

SETA3 Questions and Answers

Question 1: There is an inconsistency concerning the SOW in Section C.3, Section L, Section M, and Attachment 18. Specifically, Section L, M, and Attachment 18 include “Program Management.” as the eighth area. We are assuming that “Program Management” refers to those activities covered in C.4-C.9 in the SOW. Is that a correct assumption.

Answer: Yes. Program Management refers to the contractor's management of their contract and associated activities.

Question 2: Section L15.2.1.1, C.3.b

To ensure the small business prime has the necessary depth of experience to manage this contract, we suggest the small business prime must provide Past Performance Reference Worksheets of at least \$1 million.

Answer: The past performance references for the small business prime will remain at \$500,000.

Question 3: Section L.1.D.2

Does “12 characters or pitch per linear inch” mean 12 point font?

Answer: Yes.

Question 4: Will the small business contractor have to have all the skill sets on their team that the large business contractor has?

Answer: The USPTO's SETA requirement in this Request for Proposal applies to all offerors, whether large or small business. .

Question 5: Section H.4 “Organizational Conflict of Interest”, Page 41

What constitutes an Information Technology program as the term is used in the Government’s clauses on Organizational Conflict of Interest, especially as used in “G. Restrictions of Future Contracting?” Would this include the provision of telecommunications services, applications software development and other broad service areas? What are the bounds on the definition of IT programs? Is this prohibition limited to only those areas where the contractor has been provided specific information that lead to the creation of the COI or does the Government assume that the contractor is privileged to all USPTO IT information?

Answer: H.4.G is very explicit when it states, “These Organizational Conflict Of Interest (“OCOI”) restrictions include the prohibition of the winning offeror, its parent, any of its affiliates, subsidiaries, or successors in interest, consultants, and subcontractors from participating (in any capacity) in any USPTO information technology procurements, other than those activities in direct support of the SETA contract, throughout the duration of the SETA contract (including options).”

Question 6: Section C.9.3 “Specific Personnel Qualifications”, Page 25

The first sentence of the description of the function of the Program Manager states:” and shall not serve in any other capacity under this contract.” This appears to be contradicted in the last sentence, which reads, “May work as a team member.” Please clarify.

Answer: A person may serve as a member of a team without changing their function.

Question 7: Labor Category Descriptions

Does the Government require offerors to provide descriptions of their proposed labor categories? If not, how will the Government evaluate the relative quality of the labor categories proposed by the different offerors? Should the Government require labor category descriptions, in what section should these be included?

Answer: See Section L.15.2.1.2 " The offeror is required to propose a labor mix sufficient to satisfy the requirements as specified in C.3. The offeror shall submit three (3) resumes for each proposed labor category that are representative of personnel available to be used on this contract." See Section M.3.2.3 "The resumes will be evaluated for qualifications and expertise appropriate to the task areas shown in Section C.3 of the statement of work and L.15.2.1.2 as evidenced by their experience and demonstrated accomplishments in related or similar work."

Question 8: L.17 Labor Classifications

Section L.17 includes a table entitled “Estimated Labor Hours”, preceded by a statement that the labor mix is a representative sampling. Is it correct that the offeror must bid the same total number of hours per year as shown at L.17? Secondly, must offerors propose the same mix of hours as shown at L.17, or are offerors free to propose their own estimate of the mix of hours?

Answer: The offeror must propose the number of hours for each listed category (i.e. Senior Technical) for each period of performance as listed in L.17 under "Estimated Labor Hours" using the offeror's proposed labor categories, designating which labor category (i.e. Senior Technical) that it represents. As stated above, the offerors should propose the same mix of hours as shown in L.17.

Question 9: Attachment 18 "Past Performance Questionnaire" and L.15.2.1.1 "Experience/ Past Performance Factor Proposal Instructions"

The second paragraph on page 1 of the questionnaire requests that the questionnaire be returned "within the next two weeks". Per the second reference, it is the offeror's responsibility to provide the questionnaire to the proposed references. When does the Government expect the offeror to forward these instructions? What is the start date for "the next two weeks?"

Answer: See Section L.15.2.1.1 E - " It is the offeror's responsibility to contact each of the references cited in section 14 of the Past Performance Reference worksheet in response to L.15.2.1.1, and shall notify these references that the Patent and Trademark Office is requiring that clients of entities responding to this solicitation be identified, their participation in the past performance evaluation process be requested, and shall ensure the references submit the completed Past Performance Questionnaire directly to the Government's Contracting Officer." The offeror should follow-up with its past performance reference client to make sure the Past Performance Questionnaire, Attachment 18, has been provided to the USPTO. The completed Past Performance Questionnaire is due by proposal closing date, March 7, 2002.

Question 10: L.17 Labor Classifications and B Tables

Is it correct to assume that offerors should price CLINS 002A, 002B and 002C? If these need to be priced, should the offeror assume that the labor mix distribution for these CLINS will be at the same percentages as for the Estimated Labor Hours shown for CLIN 0001 defined in L.17?

Answer: Yes, the offerors should price CLINs 0002.A, 0002.B, and 0002.C. using the same percentages as for the "Estimated Labor Hours" shown for CLIN 0001 defined in L.17, excluding the Program Manager position.

Question 11: M.3.3 "Evaluation of the Cost Proposal"

The reference to L.14 in M.3.3 appears to be in error.

Answer: You are correct. The reference should be to L.15,"Instructions for the Preparation of Technical, and Cost or Pricing Proposals".

Question 12: B-Tables

Since the CLINS only show total values for all fee pools, can the government please amplify on how it will determine the base fee and the award fee that will be made available to the contractor post-award. Will it be based upon the percentage of cost or on a flat pro-rata share of each pool by hour? What is the combined maximum base fee and award fee allowed?

Answer: See Section B.7.A- "The base fee shall be paid based on the percentage of completion of work, as determined by the Contracting Officer, and subject to the following withholding provisions. After payment of eighty-five percent (85%) of the base fee in each contract year, the Government shall withhold further payment of base fee pending establishment of a reserve of fifteen percent (15%) of the total base fee or \$100,000, whichever is less." year). The Government will evaluate the contractor's performance at the end of every six (6) month period to determine the award fee earned by the contractor. The contract will be modified by a unilateral contract modification, executed by the Contracting Officer, when the award, if any, has been determined by the USPTO Fee Determination Official.

The maximum fees cannot exceed 10 percent of the contractor's estimated cost, excluding fee, established by statutory limitations, imposed by 41 U.S.C. 254(b) and FAR 404-4(c)(4)(i). The offeror should consider the competitiveness of this procurement when proposing the amount of fees.

Question 13: L.15.2.2.1 and L.15.2.2.2

It appears that L.15.2.2.1.A. may conflict with L.15.2.2.1.B; that is, can we assume that compliance with FAR 15.408, Table 15.2 is required only in so far as necessary to show cost or pricing data at a high level? Is the data provided in response to L.15.2.2.1.B required in a specific format, or is the offeror allowed to choose the format?

Answer: Cost proposals must be submitted in accordance with FAR 15.408. The offeror should submit their cost or pricing data at a high level only (i.e., labor rates as they relate to the labor categories, overhead (indicate if it includes benefits or not), G&A, etc. and the total price). The data should be submitted for each contract year and a summary of all the contract years.

Question 14: L.15.2.2.1 and L.15.2.2.2

When is the form at J.14 to be used? Does completion of it constitute compliance with L.15.2.2.1.B, or is J.14 only intended to be used in compliance with L.15.2.2.2? Is the offeror to complete the form at J.14 for each contract year, plus a summary, or a single summary only?

Answer: J.14 is to be used for the cost proposal (see Section 15.2.2.1 B.) J.14 is to be submitted for each contract year and the summary of the contract years. There should be six (6) J.14's submitted with initial offer which consists of five (5) contract years and the one (1) summary.

Question 15: L.15.2.2.1 and L.15.2.2.2

Are all offerors required to complete the SF 1411 at Attachment J.12, or only those in the competitive range?

Answer: The SF 1411 is no longer required; however, offerors in the competitive range are required to submit a Certificate of Current Cost or Pricing Data as required in L.15.2.2.2.A.3, page 109.

Question 16: L.15.2.2.1 and L.15.2.2.2

For offerors that are found to be in the competitive range, how much time will be allowed for submission of certified cost and pricing data per L.15.2.2.2?

Answer: The request for submission of certified cost and pricing data will be issued after notification to offerors who did not make the competitive range. Offerors in the competitive range will be requested to submit certified cost and pricing data. Offerors will be given an estimated 10 days to submit information.

Question 17: L.15.2.2.1 and L.15.2.2.2

Are B-Tables to be completed and submitted as part of the Cost Proposal?

Answer: No. B-Tables do not need to be completed.

Question 18: L.15.2.2.1 and L.15.2.2.2

Please clarify which of the following are to be provided by all offerors, and whether in both hard and soft copy: B-Tables, SF1411 at J.12, and Contract Pricing Proposal at J.14.

Answer: B-Tables are not required to be submitted. SF1411 is no longer required. J.14 is to be used for the submittal of the cost proposal. (See Section 15.2.2.1.B.) J.14 is to be submitted for each contract year and the summary of the contract years. There should be six (6) J.14's submitted with initial offer which consists of five (5) contract years and the one (1) summary. Subcontractors should also submit their cost proposals using J.14 format.

Question 19: L.15.2.2.1 and L.15.2.2.2

Please provide the B-Tables, and the forms at J.12 and J.14 in a softcopy format that supports electronic completion (i.e., WORD or EXCEL format.)

Answer: B-Tables are not required to be submitted. The B-Tables will be filled in at contract award. Attachment J.12 is no longer required to be submitted. Attachment J.14 is the format in which we wish the cost data to be submitted.

Attachment J.14 will be posted to the following URL in electronic form for your convenience.

<http://www.uspto.gov/web/offices/ac/comp/proc/seta/setahom.htm>

Question 20: Section K

Please provide in a softcopy format that supports electronic completion.

Answer: Section K will be posted to the following URL in electronic form for your convenience;

<http://www.uspto.gov/web/offices/ac/comp/proc/seta/setahom.htm>

Please note that Section K is only required to be submitted with the Hard (paper) copy. See Section L.15.1(B) 2, Volume II - Only the offeror's cost proposal is to be submitted in a CDROM electronic format compatible with (or translatable by) Microsoft Excel 2000 (Version 9.0.04402 SR-1).

Question 21: Section I

Section I includes FAR references 52.215-24, 52.215-27, 52.215-39, 52.215-40, 52.222-28, all of which have been deleted from FAR. Recommend deletion of these from the solicitation.

Answer: Section I, FAR references 52.215.24, 52.215.27, 52.215.39, 52.215.40, 52.222-28 are hereby deleted from Request for Proposal. FAR 52.215-19 is hereby added to Section I.

Question 22: Section L.15.1, General Instructions, paragraph D, Page Features

Bullet “#2. Type” requires all Volume I data be twelve (12) characters or pitch linear inch or six (6) lines per vertical inch. It appears Attachment 17 and Attachment 19 are “smaller” font sizes. Is it allowable to use the font size established in the attachment? Also, if no significant problems are identified, can the form be manipulated to allow more space for entry 15. Abstract?

Answer: No. The font size used in the forms was used to provide the maximum space for a response using the required 12 pitch.

Question 23: Section L.15.1, General Instruction, paragraph B.2 and Note 1

If neither the prime offeror nor any of its subcontractors have been terminated (for cause or convenience) are the Termination Worksheets required? If not, is a Tab required? Should the offeror provide a page stating the fact no Termination Worksheets are provided?

Answer: If the offeror has never been terminated, then Termination Worksheets are not required. The Tab is required. The offeror may include a page stating that the prime offeror nor any of its proposed subcontractors have ever been terminated.

Question 24: B.1, “Schedule of Services” and G.8, “Task Order Allocation”

The Government uses the term “Managed Competition” to define how task orders may be allocated. Will the Government please define what the term means and specify how Managed Competition will be used.

Answer: The Government will conduct competitions for work between the two awardees which will be issued in the form of task orders.

Question 25: Regarding the number of representative resumes to be submitted with the proposal. How many representative resumes are desired? Should the number of resumes cover the estimated hours of the Base Period in Section L.17, Labor Classifications, of the RFP?

Answer: As L.15.2.1.2 states, “The offeror shall submit three (3) resumes for each proposed labor category that are representative of personnel available to be used on this contract.”

Question 26: Section L.15.2.1.1, paragraph C.3.a. and paragraph D.1.a. state that sub-contractors must provide past credentials that include three individual contracts valued at \$500,000 or more. Does past performance that includes providing continuous technical services to the same Government client through more than one contract vehicle equaling \$500,000 qualify?

Answer: If an offeror or the offeror's subcontractor do not have contract references valued at \$500,000 or more, the offeror should submit the best three contract references the offeror or subcontractor has.

Question 27: In Section L, page 112, 3.c: One trip per week is required for Task Order Management Meetings. The meetings appear to require the attendance of all the task order managers for each meeting. (up to 30 managers per meeting). According to our interpretation, we will be required to have 30 personnel at the meeting or is this number inclusive of the USPTO staff and other contractors on our team and the large business contractor?

Answer: The number used in the RFP is a constant for cost estimating purposes. The actual number will vary based on the needs of the USPTO. The number of attendees (30) does not include the USPTO staff, nor the other contractor's managers; however it may include your subcontractors if any of them serve as task order managers.

Question 28: Reading L.15.2.1.2 Section 2, it appears that you require 3 resumes to be submitted for each proposed labor category that are represented in our proposal. Is this from each team member or an inclusive amount from the entire team?

Answer: There should be no more than 3 resumes submitted per labor category inclusive of all team members

Question 29: According to Section L15.1 D Page features describes the type for volume I should be 12 characters or pitch per linear inch, but Attachment 17: Past Performance: the font size appears to be 9 in your document. You have asked us to answer and submit our proposal in font size 12. Can you clarify the size font for the submittal of our past performance data?

Answer: See answer to Question 22.

Question 30: Section F.4 Place of Performance (b) states that some task orders may require work to be done at sites provided by the Government. Does the USPTO desire cost estimates to include both contractor site and government site rates? If so, what percentage of the proposed hours should be allocated to government site?

Answer: Offeror should assume for proposal costing purposes that all work will be performed at their contractor site.

Question 31: Page 14 item "D" first paragraph indicates that the vendor will develop prototype systems for evaluating potential technical solutions. Will the USPTO consider using that vendor's prototype system as a basis to move forward with establishing this prototype as production (i.e., in other words is there a case where the USPTO allow the vendor who develops the prototype to then develop the production system).

Answer: The USPTO will consider using a vendor's prototype system as a basis to move forward with establishing the production system. The role of the SETA contractor is to develop the infrastructure; not application systems.

Question 32: Is there an incumbent contractor? If so, please provide the name, address, contract number, period of performance, and value of the incumbent contract, and the performance location of the current contract.

Answer: Incumbent contractor: PRC, Inc.
Address: 1500 Planning Research Drive
McLean, VA 22102
Contract No. 50-PBPT-8-00005
Period of Performance: Dec. 11, 1997 - Nov. 30, 2002
(includes base year and all options)
Value of contract: \$47,571,802
Performance Location: Contractor site

Question 33: Are there any subcontractors who are working with the incumbent? If so, please provide the name, address, contract number, period of performance, and value of the contract, and the performance location of the current contract.

Answer: This information is not available. The USPTO does not maintain a list of PRC's subcontractors.

Question 34: Are the incumbent or their subcontractors eligible to bid on the re-compete?

Answer: Yes

Question 35: Technical Proposal, L.15.2.1.2 Section 2, Key Personnel/Representative Resumes Proposal Instructions, sentence 2. The RFP reads as follows: "The offeror is required to propose a labor mix sufficient to satisfy the requirements as specified in section C.3." Do you want a specific labor category which addresses each of the major subparagraphs, (C.3.1, C.3.2, C.3.3.....)?

Answer: See answer to Question 7.

Question 36: Cost Proposal Instructions. L.15.2.2 discusses Cost Proposal instructions for all offerors as well as cost proposal instructions for those offerors in the competitive range. When does the PTO anticipate notifying offerors that they are in the competitive range?

Answer: Offerors who are not in the competitive range will be notified upon completion of the initial evaluation report and competitive range determination. Offerors in the competitive range will be advised and oral presentations will be scheduled.

Question 37: When is the "expected" transition period for the new Contractor? When will the new contract begin?

Answer: The transition period will begin with the effective date of award.

Question 38: Instructions for the preparation of Technical, and Cost or Pricing Proposals. The RFP reads, "Offerors may only propose under a single proposal." However, may an offeror submit one proposal which allow the offeror to be considered as prime contractor for both the small and large business categories?

Answer: No. An offeror may only be considered as a large business or a small business, but not both. As a result of this RFP, the government intends to award two contracts, with one contract going to a small business. The North American Industry Classification System (NAICS) code for this acquisition is 541519. The small business size standard is no more than \$18.0 million average annual receipts for an offeror's preceding 3 FYs. Using this information, offerors must identify their company as small or large business in their proposal.

Question 39: Can the resumes be double-sided, (printed on both sides)?

Answer: No. Resumes are limited to one page each.

Question 40: Other evaluation factors: M.3.4. The end of the third sentence reads, "...while complying with USPTO's Life Cycle Management Methodology." In order to comply with the methodology, an offeror needs to know what it is and how it compares to what is currently used by its firm. Can an offeror obtain a copy of or a description on USPTO's Life Cycle Management Methodology?

Answer: The Life Cycle Management Manual is available at <http://www.uspto.gov/web/offices/cio/lcm/lcm.htm>

Question 41: Teaming Plan, L.15.2.1.3.2. The RFP indicates that a small business offeror (proposing as a prime contractor) must submit a Teaming Plan. In para M.3.1.C Technical Evaluation factors, the RFP indicates that the ".....Teaming Plan will receive a numerical score." This offeror is a small business that had not intended to team with subcontractors. The question is two-fold. First, is there a requirement for a small business to team in order to meet requirements of this proposal and achieve the best numerical score possible? Second, if not, then would a statement which indicates that we are not teaming for this proposal be sufficient for the requirements of "Small Business Subcontracting Plan or Teaming Plan?"

Answer: There is not a requirement that a small business must team. A statement indicating that the small business is not teaming will be sufficient for the requirements of the Teaming Plan."

Question 42: Past Performance Questionnaire. Section L.15.2.1.1 – Experience/Past Performance Factor Proposal Instructions. Para E, sentence 2 of the RFP states, "The Government requires that the references submit the completed questionnaires directly to the Governments Contracting Officer....." By what date are the questionnaires due to the Governments Contracting Officer?

Answer: See answer to Question 9.

Question 43: Will tasks likely include business process reengineering (BPR) since BPR would likely be necessary as part of some new systems and technologies? Would this contract include training and other change management services that are typically part of BPR and new technology implementation?

Answer: No

Question 44: Does the scope include assistance with IT investment management/capital planning, performance measurement, and other enterprise IT management areas?

Answer: No

Question 45: Does this scope of work include improvement of software development life cycle methodologies?

Answer: No

Question 46: Page 13-What does “advise and assist” mean? Does this include being responsible for development and implementation of applications as well as infrastructure? Does this limit the bidder to studies only?

Answer: The role of the SETA contractor is to develop the infrastructure; not application systems. This does not limit the offeror to studies only.

Question 47: Page 13, Has a technical strategy been selected for application integration? If so, what is it?

Answer: No

Question 48: Will the Attachments and Section K be made available in Microsoft Word and Excel formats to the Bidders since USPTO requires electronic submission of the proposal which includes the above formats?

Answer: Section K and Attachments 14, 15, 16, 17, 18, and 19 will be posted to the following URL for your convenience:

<http://www.uspto.gov/web/offices/ac/comp/proc/seta/setahom.htm>

Section K is not required to be submitted in the electronic format, only the cost proposal. Section K is to be submitted in the hard copy and the cost proposal is to be submitted in both the electronic format, as well as the hard paper copy.

Question 49: Paragraph C.3, page 13 of 123: Section C contains 7 areas of expertise, but Sections L (L.15.2.1.1 C 1) and M (M.3.2.1) show 8. Sections L and M contain Program Management, but Section C does not. Which is correct?

Answer: See answer to Question 1.

Question 50: Paragraph F.4, page 32 of 123: This paragraph states that some work, as required in task orders, may be performed at a Government facility. Will both on-site and off-site rates be required in the cost proposal?

Answer: Offerors should assume for proposal costing purposes that all work will be performed at their contractor site.

Question 51: Paragraph L.8, page 99 of 123: When will answers to questions be posted on the USPTO website?

Answer: Answers are provided with this amendment to the RFP.

Question 52: Paragraph L.15.2.1.1 E, page 106 of 123: Do the Past Performance Questionnaires have to be returned by the POCs to PTO by March 7?

Answer: See answer to Question 9.

Question 53: Paragraph M.3.2.1 H, page 118 and 119 of 123: The RFP states that depth of knowledge is defined as the number of opportunities for experience that the offeror has had in the eight (8) areas addressed in the Past Performance Worksheets. Does this give large business an evaluation advantage on small businesses, since they submit 5 past performances vice 3 for the small businesses?

Answer: No. Large businesses will be evaluated against large businesses and small businesses will be evaluated against small businesses.

Question 54: Paragraph L.15.2.3 D, page 114 of 123: The RFP states that the "Government will provide Presentation Easel, Overhead Projector and Screen" and further specifies that "No other visual aids are permitted." Will the contractor be allowed to bring transparencies prepared in advance of the Oral presentation?

Answer: Yes.

Question 55: Paragraph L.15.2.3 D, page 114 of 123: The RFP states that the "Government will provide Presentation Easel, Overhead Projector and Screen" and further specifies that "No other visual aids are permitted." Will blank transparencies be provided for use by the contractor in preparing its response?

Answer: No. Offeror will be allowed to bring transparencies prepared in advance for use with the overhead projector.

Question 56: Paragraph L.15.2.3 D, page 114 of 123: The RFP states that the "Government will provide Presentation Easel, Overhead Projector and

Screen” and further specifies that “No other visual aids are permitted.” Are blank transparencies considered visual aids that are explicitly not permitted?

Answer: No. The offeror may bring blank transparencies to write on during the oral presentation. Offeror will be allowed to bring transparencies that have been prepared in advance.

Question 57: Paragraph L.15.2.3 E, page 115 of 123: The RFP states that “the offeror will be told in the oral presentation notification letter when and where they may pick up the Sample Tasks to be addressed in the oral presentation”. How much time will the offeror have between the receipt of the oral presentation notification letter and the oral presentation?

Answer: The USPTO will notify offerors in the competitive range the scheduled date of their oral presentation in a letter. The letter will instruct the offeror the date which to pick up the sample tasks. It is unknown at this time how much time the offerors will have between the receipt of the oral presentation notification letter and the oral presentation. It will depend upon the number of offerors in the competitive range. However, the offeror will be given the sample tasks 48 hours prior to their scheduled oral presentation.

Question 58: Paragraph L.15.2.3 E, page 115 of 123: The RFP states that “the offeror will be told in the oral presentation notification letter when and where they may pick up the Sample Tasks to be addressed in the oral presentation”. Should the offeror prepare slides in advance of the Oral presentation to use during the presentation?

Answer: Yes

Question 59: Paragraph L.15.2.3 E, page 115 of 123: The RFP states that “the offeror will be told in the oral presentation notification letter when and where they may pick up the Sample Tasks to be addressed in the oral presentation”. Will the offeror be required to prepare all oral presentation materials during the 3 hour time allotted?

Answer: No. The offeror will be instructed of their scheduled oral presentation date, when, and where to pick up the sample tasks. The offeror will be given the sample tasks 48 hours prior to the oral presentation. The 48 hours is to be used by the offeror to prepare for the oral presentation, including the preparation of any presentation materials. The offeror may duplicate their transparencies to hand out to the USPTO during its oral presentation. Transparencies must not contain any information other than what is to be used for the oral presentation.

Question 60: Paragraph L.15.2.3 E, page 115 of 123: The RFP states that “the offeror will be told in the oral presentation notification letter when and where they may pick up the Sample Tasks to be addressed in the oral presentation”. Is it the offerors’ discretion to divide the presentation time between preparing slides and easel charts and delivering the oral presentation?

Answer: The preparation for the oral presentation begins with the pick up by the offeror of the sample tasks. The offeror has 48 hours to prepare for the oral presentation, which may include slides and charts. It is anticipated that the offeror will have prepared slides and easel charts prior to the scheduled oral presentation.

Question 61: Paragraph L.15.2.3 E, page 115 of 123: The RFP states that “the offeror will be told in the oral presentation notification letter when and where they may pick up the Sample Tasks to be addressed in the oral presentation”. Will the actual presentation begin at the specified time or is the three hour block an allocation to be used by the offeror as needed?

Answer: See answer to Question 59. The 3 hour block includes the oral presentation for the sample tasks. The offeror has the discretion how the 3 hours is split in delivering the oral presentation.

Question 62: Paragraph L.15.2.3 E, page 115 of 123: The RFP states that “the offeror will be told in the oral presentation notification letter when and where they may pick up the Sample Tasks to be addressed in the oral presentation”. Will all presentation material, slides and easel charts be prepared during the three hour allocation?

Answer: No. See answer to Question 59.

Question 63: Paragraph M.3.1. C, page 118 of 123: The RFP suggests the relative importance of factors, makes no reference to the Sample Tasks factor. Would the Government please clarify how the Sample Tasks factor will be reviewed, analyzed, evaluated and scored, in comparison to all other factors, combined or otherwise.

Answer: RFP Section M.3.4, page 122, “Other Evaluation Factors” describes how the Sample Tasks factor will be reviewed, analyzed, and evaluated.

Question 64: Paragraph M.3.1. C, page 118 of 123: The RFP suggests the relative importance of factors, makes no reference to the Sample Tasks factor. Is the Sample Tasks factor included in the comparative weight of all evaluation factors other than cost or price?

Answer: Yes. RFP Section M.3.1.B.2, .4, and .5 describe the relative importance of the Sample Tasks Factor.

Question 65: Paragraph M.3.1. C, page 118 of 123: The RFP suggests the relative importance of factors, makes no reference to the Sample Tasks factor. Is our assessment correct that the Sample Tasks factor will not receive a numerical score but will be qualitatively evaluated in accordance with M.3.4 correct?

Answer: Yes.

Question 66: Paragraph M.3.2.1, page 118 of 123: The RFP states that experience will be evaluated by breadth and depth of the Offeror’s experience, with breadth being experience in the 8 SOW areas and depth being “number of opportunities” for experience. If the Offeror is limited in the number of past performance citations that can be submitted, how will the Government determine number of opportunities?

Answer: The breadth will be measured within the required past performance references (i.e., if an offeror has experience in one area shown in all past performance references, that offeror would have the full breadth of experience for that area.) The depth will be measured by the number of required references.

Question 67: Reference: Attachment 19: The Key Personnel Resume Worksheet does not appear to be 12 characters per inch (CPI). Will the offeror still be required to use 12 CPI for this worksheet?

Answer: Yes. See answer to Question 22.

Question 68: Reference: Attachment 17: The Past Performance Worksheet does not appear to be 12 CPI. Will the offeror still be required to use 12 CPI for this worksheet?

Answer: Yes. See answer to Question 22.

Question 69: Reference: Attachment 18: If the Administrative CO has no knowledge of the technical work the contractor did for Past Performance, do you still want us to send them a questionnaire?

Answer: For the past performance reference checks, use individuals who have knowledge of the technical work the contractor performed.

Question 70: On page 106 in L.15.2.1.1 E, Section 1 - Experience/Past Performance Factor proposal Instructions, Contract References, the Government states “To streamline the Government past performance evaluation process, the offeror shall provide for completion to those references cited in section 14 of the Past Performance Reference worksheet in response to L.15.2.1.1, the Past Performance Questionnaire as shown in Section J.3.G, Attachment 18.” Does this apply to subcontractor references as well as prime contractor references?

Answer: Yes, this applies to all references.

Question 71: On page 103 in L.15.1 B General Instructions, the Government states a 5 page limit for Volume I Section 4, Conflict of Interest. However, on page 108 in L.15.2.1.4 B Section 4 - Conflict of Interest (COI) Certification, a one page form, Section J.3.D Attachment 15 is referenced for addressing the COI. Should we assume the 5 page limitation is for offerors who possess a COI and must present a 5 page mitigation plan?

Answer: Yes. Note, the COI mitigation plan is up to 5 pages.

Question 72: On page 20 in C.3.7.3 Facilities, the Government states “In addition, the contractor will be directly involved in the development and execution of the plan to move the documents, which will also include construction, engineering and facility related skills.” Will the contractor be responsible for performing construction-related tasks? If so, please describe what that may include.

Answer: No. The contractor will not perform actual construction.

Question 73: Can you provide an estimated level of effort (percentage) broken-out by task area (I.E. 40% Infrastructure Engineering, 10% Network Engineering, 5% Security Engineering, etc.) over the base and option years?

Answer: No.

Question 74: What date must the Contract Reference Questionnaires be completed and returned to the USPTO CO from past-performance reference customers?

Answer: See answer to Question 9.

Question 75: What is the USPTO typical award fee range in terms of percentage? Is there an award fee ceiling (not to exceed percentage or amount)?

Answer: See answer to Question 12.

Question 76: Is there a transition plan (time schedule) for migrating tasking from the incumbent contractors in the event of a new contract awardee? How soon will task order work be available to compete?

Answer: The transition period will begin with the effective date of award.

Question 77: Section L, p. 104, Item C.2 - Table of Contents The Government states, "The Table of Contents must not be numbered." Does this statement refer to the page numbering of the Table of Contents pages or to the numbering of the actual RFP required sections (e.g., Section 1, Section 2, Subsection A, etc.) in the Table of Contents? Please clarify.

Answer: It refers to page numbering the Table of Contents pages.

Question 78: Section L, p. 104, Item C.3 – Sectional Dividers The Government states, "These Dividers must not be numbered." Does this statement refer to physically labeling the dividers by the RFP required section or subsection numbers (e.g., Section 1, Section 2, Subsection A, etc.) or to page numbering of the dividers? Please clarify.

Answer: It refers to page numbering the Dividers.

Question 79: Section L, p. 114, Item L.15.2.3.D Location of Oral Presentation The Government states it will provide "an overhead projector/screen." Will the Government provide a digital projector (e.g., InFocus or Proxima projector) for use with an Offeror provided laptop during the oral presentation? If not, may the Offeror supply the digital projector?

Answer: The Government will not provide a digital projector nor may the offeror supply or use a digital projector.

Question 80: Section L, p. 115, Item L.15.2.3.E - Documentation for Oral Presentation How many Sample Tasks will the Offeror be required to address in the oral presentation?

Answer: The offeror will be notified of the number of sample tasks in the oral presentation notification letter.

Question 81: Section L, p. 116, Item L.17 – Labor Classifications; Section C, p. 25, Item C.9.3 - Specific Personnel Qualifications; Section L, p. 107, Item L.15.2.1.2 – Key Personnel/Representative Resumes The Government specifies Labor Hours for Project Management, Senior Technical, Junior Technical, and Support personnel and qualifications for the key personnel (i.e., Program Manager). The Government also requires the Offeror to submit three (3) representative resumes per proposed labor category. Will the Government supply the Offeror with more detailed labor categories and qualifications or job descriptions that will fall under the Senior Technical, Junior Technical and Support labor mix areas?

Answer: No. See answer to Question 7.

Question 82: Section C, p. 25, Item C.9.3 – Specific Personnel Qualification Does the Government require the Program Manager’s qualifications to include a degree and/or a certain number of year’s professional experience?

Answer: No. The Program Manager must meet the qualifications stated in Section C.9.3, "Specific Personnel Qualifications".

Question 83: Section L, p. 102-3, Item L.15.1.B General Instructions, In Note 1 The Government specifies a page limit for Volume I, Section 1, Subsection A that includes only the Past Performance Reference Worksheets. Will the Government allow the Offeror to provide a short summarization of the contract worksheets that are included in Volume I, Section 1, Subsection A at the beginning of the subsection?

Answer: No.

Question 84: Section L, p. 102-3, Item L.15.1.B – General Instructions, In Note 2, The Government specifies a page limit for Volume I, Section 2 that includes only the Resume Worksheets for the Program Manager and Representative Resumes. Will the Government allow the Offeror to provide a short summarization in the beginning of Section 2 of the proposed labor categories and descriptions for which corresponding representatives resumes will be presented? If not, where would the Government like to see the labor categories defined in the Offeror’s proposal?

Answer: No. Each representative resume should include the proposed labor category. See answer to Question 7.

Question 85: Can potential bidders obtain a copy of the RPF and attachments in electronic document format, e.g., Microsoft Word?

Answer: Section K, and Attachments J.14 through J.19 will be posted electronically for your convenience at the following URL:

<http://www.uspto.gov/web/offices/ac/comp/proc/seta/setahom.htm>

Question 86: Is it required that the small businesses provide three (3) years of Certified Audits of Corporate Financials?

Answer: No. See Page 113, Section L.2.2.2. B.10.a. The requirements are hereby changed to:

" Offeror shall

a. Provide audited financial statements, profit/loss statement and statement of retained earning covering the offeror's last annual accounting period."

Question 87: Page 108, Section L.15.2.1.3.1.C & Section L.15.2.1.3.1.D Section L.15.2.1.3.1.C requires information related to "Recent past history (within the last 5 years) of any subcontract/teaming arrangements with small business concerns where work was performed in areas identical or similar to those specified in Section C of this solicitation." A complete list of subcontracts for similar work with small business concerns over the last five years would be exceedingly large and would require considerable resources for a large business to compile. In addition the list could, by itself, exceed the ten page limit for Volume 1, Section 3. We respectfully request that the government restrict this list to a smaller sample or subset of such contracts.

Answer: The requirement in L.15.2.1.3.1.C., page 108 which required "Recent past history (within last 5 years) of any subcontract/teaming arrangements with small business concerns where work was performed in areas identical or similar to those specified in Section C of this solicitation" **is hereby deleted.**

Question 88: Pages 4 and 5, Section B.2, Optional Quantities Paragraph B.2 provides for Optional Quantities but does not define the three option clins nor are any pricing instructions provided to price the optional quantities. Please provide instructions for the Optional Quantities.

Answer: See answer to Question 10.

Question 89: REFERENCE: L.15.2.1.1 SECTION 1 - EXPERIENCE/PAST PERFORMANCE FACTOR PROPOSAL INSTRUCTIONS, Paragraph D.1.b "For small business proposing as the prime contractor, three (3) contract references will be provided from the prime contractor and three (3) contract references shall be provided by each subcontractor." Since many small business contracts are very narrowly in relatively narrowly defined performance areas, will the Government change this requirement to require a minimum of 3 references and up to 6 references for a small business prime contractor? This will allow a small business prime to show relevant experience in a broader range of Statement of Work areas and provide the Government with more insight into the small business prime's capabilities.

Answer: No.

Question 90: REFERENCE SECTION L.15.2.1.1.C (page 105) The reference requires that contract references demonstrate experience in "h. Program Management." Section M.3.2.1 (page 118) states that the offerors will be evaluated on their experience in "H. Program Management." Section C.3, Scope of Work, does not include Program Management as an area in which the contractor will provide support. Are the aforementioned Section L and Section M requirements included in error?

Answer: No. See answer to Question 1.

Question 91: B.7.A: The Government contemplates a 15% withhold until "final audit of the contract has been completed... ." Will the 15% reserve be withheld until after the Task Order to which it applies has been completed, or will it be withheld until the end of the multi-year contract?

Answer: The base fee shall be paid based on the percentage of completion of work for the contract, not individual task orders. After the payment of 85% of the fee in each contract year, a reserve of fifteen percent (15%) of the total base fee, (all contract years) or \$100,000 will be withheld until submission and acceptance of appropriate closing documents, after final audit of the contract has been completed, and after all audit exceptions have been resolved.

Question 92: L.15.2.2.2(B)9(b): Will the use of commercially available accounting systems be considered adequate to meet the requirements of this provision?

Answer: This would be determined by a preaward accounting system survey conducted by Defense Contract Audit Agency (DCAA)

Question 93: The forms provided for Past Performance and Resume information is in 8-9 point. For consistency, is this same point size acceptable in our response?

Answer: See answer to Question 22.

Question 94: What percentage of work do you anticipate to take place on-site and off-site.

Answer: See Answer 50

Question 95: L.15.2.1.1.E says we have to send past performance questionnaires to "those references cited in section 14 of the Past Performance Reference Worksheet". The worksheet requires four contact names and phone numbers. Please indicate how many past performance questionnaires are required per contract.

Answer: The offeror is not limited in the number of performance questionnaires they can request from the customers.

Question 96: Is this contract subject to the Service Contract Act?

Answer: No.

Question 97: Page 101 and 103 of the Solicitation indicates that the cost volume must be submitted in Microsoft Excel 2000. Considering that the Certifications and Representations along with others narratives belong in the cost volume, may the cost volume be submitted in Microsoft Word and Excel 2000?

Answer: The requirement for the Cost Proposal is one original and 3 paper copies. The paper original and copies are to include all requirements stated in L.15.2.2.1, which includes Cost Proposal (cost data), Standard Form 33, Representations and Certifications, and Financial Statements. The cost data for the prime and all subcontractors shall be submitted in CDROM electronic copies in a format compatible with (or translatable by) Microsoft Excel 2000 (Version 9.0.4402 SR-1). Three (3) copies of the electronic data shall be provided. Subcontractors proprietary cost information may be submitted in a sealed envelope. The prime contractor's cost data and their subcontractor's data should be contained on individual CDROMs.

Question 98: Page 100 Section L.11 A indicates that the SF33 is in a separate section/volume, however on page 103 Section L 15.1 B the SF33 is included in the Cost volume. Please clarify?

Answer: The Standard Form 33 should be submitted in the Cost Proposal Volume.

Question 99: Section B.7 “Payment of Base Fee and Award Fee”, Item A., “Base Fee”, Page 8. Is the 15% reserve of the total base fee (or \$100,000.00, whichever is less) cited in this section an annual amount or does the maximum \$100,000.00 withholding for the life of the contract? Please Clarify.

Answer: The 15% reserve of the total base fee (or \$100,000, whichever is less) is the maximum withholding for the life of the contract.

Question 100: Section C.2, Scope of Contract, refers to the design, development and implementation of central computer systems. Does this mean that the contractor would supply support for mainframe-based infrastructure in addition to centralized network and communications infrastructure?

Answer: No

Question 101: The RFP requires information regarding contract terminations. How does PTO define “contract terminations”? Does PTO want information on terminations regarding contract references supplied as part of Past Performance, or is the information needed for all contracts the company has held?

Answer: A contract that has been terminated rather than completed. The USPTO requires information on all contracts the offeror has held and has resulted in a termination for default.

Question 102: Does PTO want descriptions/definitions of proposed labor categories?

Answer: No.

Question 103: The RFP specifies that the type for Volume I should be twelve (12) characters or pitch per linear inch or six (6) lines per vertical inch -- or equivalent. The Past Performance Reference Worksheets are limited to 1 page per reference. The questions on these Worksheets are in a small point size (8 point). Would the Government allow 10-point type size for our responses on the Past Performance Reference Worksheets as well as the Key Personnel/Representative Resume Worksheets?

Answer: No.

Question 104: Section L.15.2.1.1 (C) and Section M.3.2.1 state that the Government expects to see contract references that demonstrate experience in Program Management. Section C.3 does not specifically list Program Management as one of the major areas where the contractor will provide expert technical support and assistance. Please clarify.

Answer: See answer to Question 1.

Question 105: We believe the requirement to provide three (3) reference for contracts that have at least a \$500,00 value would prevent us from bidding as a subcontractor on this effort. Please reconsider this requirement as it has the potential to eliminate a pool of small disadvantaged businesses from this bid.

Answer: The requirement will remain at \$500,000. Prior to the first release of the RFP, the requirement was \$1,000,000. We lowered the requirement to \$500,000. Many factors were considered which included the potential size of the contract, and the small business manageability of subcontractors. A lower dollar requirement for the subcontractors could affect the number or proposed subcontractors. The \$500,000 requirement fulfills two purposes. It reduces the number of subcontractors that a prime may bid, and it keeps the USPTO's evaluation at a manageable level with its limited resources. The SETA requirement has previously been conducted using full and open acquisition procedures with one award. Under this requirement, the USPTO has chosen to make two awards, which doubles its workload at all phases of this procurement.